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Attorneys for Mark D. Waldron, Chapter 11 Trustee

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON**

In re:

Case No. 18-03197 FPC 11

GIGA WATT, Inc., a Washington corporation,

The Honorable Frederick P. Corbit

Debtor.

**NOTICE OF TRUSTEE'S MOTION
FOR ORDER: (I) SETTING
EXPEDITED HEARING ON
REQUEST FOR AUTHORITY TO
RE-OPEN THE TNT FACILITY
AND BORROW ON INTERIM
BASIS; (II) AUTHORIZING RE-
OPENING OF TNT FACILITY; AND
(III) APPROVING FINANCING ON
INTERIM AND FINAL BASIS WITH
SUPER-PRIORITY UNSECURED
STATUS**

INTERIM HEARING

Date: August 29, 2019

Time: 10:00 a.m.

Judge: Hon. Frederick P. Corbit

Location: 904 West

Suite 304
Spokane WA 99201

**NOTICE OF TRUSTEE'S MOTION TO RE-OPEN TNT FACILITY AND
OBTAIN SUPER-PRIORITY CREDIT -- Page 1**

1 **TO THE HONORABLE FREDERICK P. CORBIT, THE U.S. TRUSTEE,**
2 **THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS AND ALL**
3 **INTERESTED PARTIES AND THEIR ATTORNEYS OF RECORD:**

4 **PLEASE TAKE NOTICE THAT** on August 29, 2019 at 10:00 a.m., an
5 interim hearing (the “Interim Hearing” will be held on the Motion filed by Mark
6 D. Waldron, in his official capacity as the Chapter 11 Trustee (the “Trustee”)
7 requesting an Order: (i) Setting Expedited Hearing on Request for Authority to
8 Re-Open the TNT Facility and Borrow on an Interim Basis; (ii) Authorizing Re-
9 Opening of TNT Facility, and (iii) Approving Financing on Interim and Final
10 Basis With Super-Priority Unsecured Status. The Interim Hearing will be held at
11 the U.S. Bankruptcy Court for the Eastern District of Washington before the
12 Honorable Frederick P. Corbit, 904 West Riverside Avenue, Suite 304, Spokane,
13 Washington.

14 **PLEASE TAKE FURTHER NOTICE** that pursuant to 11 U.S.C.
15 § 364(c)(1), the Motion seeks authority to borrow up to \$200,000 from Randy
16 Michelson at an interest rate of 15% per annum, no compounding, and an
17 origination fee of 4%.

18 **PLEASE TAKE FURTHER NOTICE** that pursuant to 11 U.S.C. § 363,
19 the Trustee also seeks authority to re-open the Debtor’s crypto-mining facility
20 located on 474 Highline Drive, East Wenatchee, Washington (the “TNT
21 Facility”).

22 **PLEASE TAKE FURTHER NOTICE** that the Trustee is requesting a
23 hearing on an expedited basis to re-open the TNT Facility and to allow the Trustee
24 NOTICE OF TRUSTEE’S MOTION TO RE-OPEN TNT FACILITY AND
25 OBTAIN SUPER-PRIORITY CREDIT -- Page 2

1 to borrow the sum of \$158,512 pending a final decision on the Motion. Shortened
2 notice is required on the Motion because every day that the TNT Facility remains
3 closed is a day that the estate is not generating revenue even while administrative
4 rent is accruing. Further, the Public Utility District No. 1 of Douglas County,
5 Washington requires ten (10) days after payment of all funds owed in order to
6 resume providing electricity to the TNT Facility.

7 **PLEASE TAKE FURTHER NOTICE** that any objection to the relief
8 requested in the Motion, including the request to consider the Motion on
9 shortened notice, must be served on undersigned counsel by email at
10 pegan@potomaclaw.com and filed with the Court on or before August 28, 2019,
11 which is the day before the Interim Hearing. The Motion may be granted without
12 further notice unless a written objection is timely served on undersigned counsel
13 and timely filed with the Court.

14 **PLEASE TAKE FURTHER NOTICE** that the Motion, the proposed
15 Order and the Super-Priority Unsecured Credit Agreement are enclosed herewith.
16 The Trustee's memorandum and declaration in support of the Motion may be
17 obtained from the Clerk of the Court whose address is set forth in the caption
18 above.

19 Dated: August 22, 2019 POTOMAC LAW GROUP

By: *s/Pamela M. Egan*
Pamela M. Egan (WSBA No. 54736)

*Attorneys for Mark D. Waldron, Chapter 11
Trustee*

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